

Draft New Rule

WAC 390-05-238 – Public Opinion Polls—Valuation (1) If the results of a public opinion poll are shared by the purchaser with one or more candidates, political committees, or their agents, the fair market value of the public opinion poll is a contribution to each and every candidate or political committee with which it is shared.

(2) If a portion of the results of a public opinion poll is contributed to a candidate or political committee, the value of the contribution is based in part on the percentage of the poll's results. For example, if 50% of the poll results is provided, the poll's fair market value shall be reported as the contribution.

(3) If a candidate or political committee pays less than fair market value for all or a portion of the results of a public opinion poll, the difference between the fair market value and the amount paid by the candidate or political committee is considered a contribution.

(4) The fair market value of the public opinion poll is as follows:

(a) If a candidate or political committee received the public opinion poll within 15 days of receipt by the purchaser, the fair market value is the actual cost of the public opinion poll;

(b) If a candidate or political committee received the public opinion poll between 16 and 60 days of receipt by the purchaser, the fair market value of the public opinion poll is 50% of the actual cost;

(c) If a candidate or political committee received the public opinion poll between 61 and 120 days of receipt by the purchaser, the fair market value of the public opinion poll is 25% of the actual cost;

(d) If a candidate or political committee received the public opinion poll between 121 and 180 days of receipt by the purchaser, the fair market value of the public opinion poll is 5% of the actual cost;

(e) If a candidate or political committee received the public opinion poll more than 180 days of receipt by the purchaser, the fair market value is zero.

